

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

CIVIL ACTION NO. 3:17cv293

UNITED STATES OF AMERICA)	
)	
v.)	
)	DEFAULT JUDGMENT
APPROXIMATELY \$65,680 IN FUNDS)	
SEIZED INCIDENT TO SEARCH)	
WARRANT EXECUTION AT THE)	
RESIDENCE OF MICHAEL DAVID JONES)	

THIS MATTER is before the Court on the United States of America's Motion for Default Judgment in this case. For good cause shown, the Court will GRANT the Motion and enter this Default Judgment. The Court FINDS AS FOLLOWS:

BACKGROUND

On June 2, 2017, the United States filed a Complaint for Forfeiture *in rem* (Doc. 1) against the defendant property captioned above. The Complaint alleged that the property is proceeds of drug trafficking and/or was used or intended to be used to facilitate drug trafficking.

From June 6, 2017 through July 5, 2017, pursuant to Federal Rules of Civil Procedure, Supplement Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, Rule G(4)(a), the Government provided Notice by Publication (Doc. 4) of this action. Further, the Government mailed direct notice (Doc. 3) of the Complaint to the following individuals:

- Ms. Reema Ramsay Abdulatif c/o David M. Michael, Esq.
- Mr. Michael David Jones c/o David M. Michael, Esq.

Ultimately, Reema Abdulatif and Michael Jones each filed Claims (Docs. 7 and 8). The Government settled to return \$10,000 in seized funds in this case to counsel for Claimants via Consent Order and Judgment, in exchange for Claimant's release of all other claims in the case.

(Doc. 15-1 as Ordered by Doc. 16). As a result of the settlement, approximately \$55,680 remains for forfeiture.

Notice of forfeiture of this property has been properly published and directly provided, there are no claims remaining as to the property, and the time for filing claims has expired. Therefore, on April 24, 2019, on Motion (Doc. 17) of the Government, the Clerk of Court entered a default pursuant to Fed. R. Civ. P. 55(a) (Doc. 18). Thus, default judgment is now appropriate.

LEGAL CONCLUSIONS

Fed. R. Civ. P. 55(b)(2) provides for entry of the requested Default Judgment by the Court. Here, the United States has provided notice of forfeiture in accordance with the Federal Rules of Civil Procedure, Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, Rule G. Other than Reema Abdulatif and Michael Jones, whose Claims have been adjudicated, the time period for filing claims has expired. And, no other claims have been filed. Finally, the Clerk has entered default. Therefore, the requested Default Judgment is appropriate.

BASED ON THE FOREGOING FINDINGS, THE COURT CONCLUDES that the Government is entitled to a Judgment of Forfeiture by Default against the Defendant Property.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:

1. The Government's Motion for Default Judgment is hereby GRANTED.
2. Any and all right, title, and interest of all persons in the world in or to the Defendant Property is hereby forfeited to the United States, and no other right, title, or interest shall exist therein:

Approximately \$55,680 in funds seized incident to search warrant execution at the residence of Michael David Jones.

Signed: April 29, 2019



Graham C. Mullen
United States District Judge



